

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Tessa Yesselman	Team: Squad #12	CCRB Case #: 201700612	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Tuesday, 01/24/2017 6:20 AM	Location of Incident: § 87(2)(b)	Precinct: 42	18 Mo. SOL 7/24/2018	EO SOL 7/24/2018	
Date/Time CV Reported Wed, 01/25/2017 10:35 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 01/25/2017 10:35 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. An officer			Unknown
2. DT1 Daniel Alessandrino	00894	929600	SP FRDS

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. DTS Dewight Ruan	4274	937450	ESS 06

Officer(s)	Allegation	Investigator Recommendation
A.DT1 Daniel Alessandrino	Abuse: Detective Daniel Alessandrino entered and searched § 87(2)(b) in the Bronx.	
B. An officer	Force: An officer used physical force against § 87(2)(b)	
C.DT1 Daniel Alessandrino	Abuse: Detective Daniel Alessandrino failed to show the search warrant to § 87(2)(b)	

### Case Summary

§ 87(2)(b) filed this complaint with the CCRB via telephone on January 25, 2017.

On January 24, 2017, at approximately 6:20 AM, Det. Lenno Hendricks, Det. Stewart Eiel, Det. Brian Higgins, Det. Dewight Ruan, Sgt. Arnold Abrams, Det. Joseph Mangiapane, Det. Terry Avent, Det. Shawn Soler, and Det. Patrick Barry, all of the Emergency Services Unit (ESU) executed a search and arrest warrant at § 87(2)(b) in the Bronx (hereafter referred to as § 87(2)(b) (**Allegation A**)). § 87(2)(b) and § 87(2)(b) were asleep inside of § 87(2)(b). § 87(2)(b) was allegedly on the ground in front of the front door to § 87(2)(b) and upon entry, an officer allegedly kicked him (**Allegation B**). The officers spread out throughout § 87(2)(b). After these officers left, Det. Daniel Alessandrino and Sgt. Dennis Chan, both of the Financial Crimes Task Force, entered § 87(2)(b). § 87(2)(b) moved all of the occupants to a back bedroom, and searched the apartment. § 87(2)(b) asked Det. Alessandrino if she and § 87(2)(b) could leave, because § 87(2)(b) is a high school student and needed to leave for school, and § 87(2)(b) walks her nieces to school every day. Det. Alessandrino agreed. § 87(2)(b) asked Det. Alessandrino if she could see a copy of the warrant and he allegedly told her that he could not show her a copy of the warrant, but that he would leave a copy in § 87(2)(b) when he left. When § 87(2)(b) returned, she allegedly found that Det. Alessandrino had not left a copy of the warrant, and had only left a business card (**Allegation C**).

§ 87(2)(b) was arrested in regards to this incident (**07 Board Review**), and charged with

§ 87(2)(b). § 87(2)(b) was arrested in regards to this incident (**08 Board Review**), and § 87(2)(b).

This case is being submitted after the 90-day mark because of delays incurred in receiving police documents.

There was no video regarding this incident.

### Mediation, Civil and Criminal Histories

- This case was not eligible for mediation.
- On February 9, 2017, a Notice of Claim Inquiry returned negative results from the NYC Comptroller's Office (**13 Board Review**).

- § 87(2)(b)

### Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been party (**06 Board Review**).
- Det. Alessandrino has been a member of service for fourteen years and has two prior allegations, with one substantiation. § 87(2)(g) In CCRB case no. 200403490, Det. Alessandrino was substantiated for offensive language. The CCRB recommended charges, and Det. Alessandrino was given instructions.

### Findings and Recommendations

### Explanation of Subject Officer Identification

§ 87(2)(b) was not wearing her glasses at the time of the incident, and also has glaucoma and cataracts in both of her eyes. There were no lights on inside of § 87(2)(b) at the time of the incident, and the dim lighting further hindered § 87(2)(b)'s ability to see. Because of this, § 87(2)(b) was not able to provide descriptions of the officer she alleged kicked § 87(2)(b).

§ 87(2)(b) stated that the following people were inside of § 87(2)(b) with her: § 87(2)(b) and § 87(2)(b). These individuals were unavailable to the investigation (**04 Board Review**). § 87(2)(g)

### Allegations Not Pleaded

- **Discourtesy:** § 87(2)(b) alleged that after the front door to § 87(2)(b) was breached, an officer told her to get on the “fucking” floor as he entered inside of § 87(2)(b).
- **Abuse of Authority:** § 87(2)(b) stated that Det. Alessandrino seized her cellular phone during the search of § 87(2)(b).
- **Physical Force:** § 87(2)(b) alleged that after the officers left § 87(2)(b) § 87(2)(b) told her that as the officers spread out throughout § 87(2)(b) immediately after entering, an officer pointed his gun at him.

§ 87(2)(g)

### Allegation A – Abuse of Authority: Detective Daniel Alessandrino entered and searched 1260 Webster Avenue, § 87(2)(b) in the Bronx.

It is undisputed that Det. Alessandrino and members of the Financial Crimes Task Force entered and searched § 87(2)(b).

Det. Alessandrino had a search warrant (**10 Board Review**) signed by Honorable § 87(2)(b) on § 87(2)(b), to search the above mentioned address between the hours of 6:00 AM and 9:00 PM, and arrest warrants for § 87(2)(b) (**11 Board Review**) and § 87(2)(b) (**12 Board Review**). The search warrant states that “it is specifically authorized that any... electronic communication equipment... may be seized and removed for off-site examination.”

§ 87(2)(g)

### Allegation B- Physical Force: An officer used physical force against § 87(2)(b)

§ 87(2)(b) stated that after the officers entered § 87(2)(b) and ordered everyone inside to get on the ground, that § 87(2)(b) complied, and was kicked by an officer as they entered the apartment. As detailed above, § 87(2)(b) was unable to provide a description of the officer she alleged kicked § 87(2)(b).

§ 87(2)(b) did not provide a statement to the investigation (**04 Board Review**).

§ 87(2)(g)

§ 87(2)(g)

**Allegation C- Abuse of Authority: Detective Daniel Alessandrino refused to show the search warrant to § 87(2)(b)**

It is undisputed that § 87(2)(b) (01 Board Review) and Det. Alessandrino (03 Board Review) had a conversation about § 87(2)(b) viewing the search warrant, and Det. Alessandrino leaving a copy of the warrant with her.

§ 87(2)(b) (01 Board Review) stated that when she returned to § 87(2)(b) after bringing her nieces to school, that Det. Alessandrino had only left his business card, and not a copy of the warrant.

Det. Alessandrino (02 Board Review) stated that he left his business card and a copy of the search warrant with a resident of § 87(2)(b)

§ 87(2)(g)

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Squad: 12

Investigator: \_\_\_\_\_  
Signature Print Date

Squad Leader: \_\_\_\_\_  
Title/Signature Print Date